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Transmitted via Email

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MINNESOTA BULLETIN NO. 180-8-3

SUBJECT- CPA – COMPLETION OF THE CPA-026

Purpose. To provide staff guidance for completing the CPA-026.

Expiration Date. September 30, 2008.

Minnesota has never had consistent guidance on the preparation, distribution, and filing of form CPA-026, concerning wetland and N\HEL information. During the national office wetland review last month this lack of consistency was pointed out as a potential fundamental concern in tracking, retaining and retrieving our wetland determinations. To provide state-wide consistency the following concern will be implemented immediately and additional guidance will be forth coming:

**Effective immediately, NRCS will only enter or complete the CPA-026 Section II "wetland portion"**

- **at the request of the landowner in response to a CPA-038 or;**
- **through the AD-569 process.**

Field staff **will not** bring forward past wetland information on previously issued CPA-026 forms. When completing CPA-026s for FSA, requested N\HEL determinations or other purposes not related to a CPA-038 or AD-059, NRCS will place a note in the remarks box under Section II - Wetlands - "refer to previously issued determination for wetland information." In those cases where no previous wetland determination has been made, NRCS will place the following note - "no USDA wetland determination has been made for this tract."

The DC will also cross out (x-out) Section II on these CPA-026s by using an ink pen.

The following issue has been identified as a major point of inconsistency between NRCS and FSA when completing the CPA-026. NRCS will not be updating or issuing new CPA-026 information on wetland determinations based on updated FSA tract divisions, tract combinations, farm reconstitutions, or changes in farm number or ownership.

All wetland determinations run with the land regardless of tract or ownership. Procedure requires FSA to notify both the producer and NRCS of new farm\tract numbers. FSA will also inform producers of the presence of existing wetland labels as identified on previously issued CPA-026 forms.

All NRCS and FSA field staff should be following the guidance for updating N\HEL determinations issued in Minnesota Amendment 5 to the NFSA Manual dated June 5, 2007. All

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newly issued CPA-026s (including those where all the fields are identified as NHEL) are always sent to the producer via certified mail with a copy to FSA.

If further information is needed on the contents of this bulletin, please contact Paul Flynn, State Resource Conservationist, at (651) 602-7870.

/s/

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State Conservationist

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